

REMARKS

Claims 1-20 were reported in the Office Action as pending. Claims 1-9 are rejected. Claims 10-20 are objected to. Claims 1, 9-13 and 15-20 have been amended.

Applicant requests reconsideration of the application in view of the following remarks.

Information Disclosure Statement

It is asserted in the Office Action that the listing of references in the specification is not a proper information disclosure statement according to MPEP 609.04(a).

In response, and in accordance with 37 CFR 1.98(b), submitted herewith is an Information Disclosure Statement transmittal and Form 1449A/PTO which lists all of the references listed in the specification, as filed. Also enclosed is a copy of each of the references listed on Form 1449A/PTO.

Drawings:

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4).

In response, Applicant has amended Figure 7 deleting the reference character "4" and attaches hereto the "replacement sheet" for Figure 7, which Applicant believes is fully responsive to the Examiner's objection.

Approval is respectfully requested.

Claim objection under 37 CFR 1.75(c)

It is asserted in the Office Action that Claims 10-20 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim.

In response, Applicant has amended Claims 9-13 and 15-20 which Applicant believes is fully responsive to the Examiner's objections under 37 CR 1.75(c).

Accordingly, reconsideration and withdrawal of the objection under 37 CFR 1.75(c) is respectively requested.

Claim rejection under 35 USC 112

It is asserted in the Office Action that Claim 1 and its dependent claims 2-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response, Claim 1 has been amended to overcome the rejections under 35 U.S.C. 112, 2nd paragraph and submits that in view of the amendment to Claim 1, since Claims 2-20 depend directly or indirectly from newly amended Claim 1, Claims 2-20 should now be in condition for allowance.

For clarification purposes, Applicant notes that term “same” as used in Claim 1 is meant as physically the same (identical) element, not just the same in one aspect. That is, the first rotation element and the casing together define an essentially annular cavity, which is split up along its length into the closed volumes by the second rotation elements (one at each end of a closed volume). The original claim language specified that each of the closed volumes is defined (or bounded) by the same two of the second rotation elements throughout the compression, combustion and expansion stages. The amendment to Claim 1 merely clarifies the original claim language.

Accordingly, reconsideration and withdrawal of the rejection under 35 USC 112, second paragraph, is respectively requested.

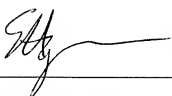
In view of the foregoing, it is believed that all claims now pending, namely Claims 1-20, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

Respectfully submitted,

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Dated: 2/12, 2009


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2/12/09
Date